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PATENT
51270-245618

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

K. OSAKABE

Serial No: 09/412,736

Filed: October 4, 1999

For: RECORDABLE OPTICAL DISK AND
OPTICAL DISK RECORDING DEVICE
UTILIZING PRE-RECORDED RECORDING
SPEED INFORMATION

RECEIVED)

JUL 03 2003)

OFFICE OF PETITIONS)

Examiner: P.W. HUBER

Art Unit: 2653

Confirmation No.: 1041

Date of Notice of Allowance:

March 10, 2003

PETITION TO WITHDRAWAL FROM ISSUE (37 C.F.R. § 1.313)

Box DAC
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PETITION

1. Applicant hereby petitions for the withdrawal of this application from issue.

PATENT ISSUE FEE

2. The application was allowed by a Notice of Allowance dated March 10, 2003. The issue fee was paid on May 21, 2003. No date has yet been indicated regarding the issue of the patent.

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REASON(S) FOR WITHDRAWAL REQUEST

3. The reason for the request for withdrawal from issue is to permit consideration of an Information Disclosure Statement (IDS) under 37 C.F.R. § 1.97 in a continuing application being filed concurrently herewith, 37 C.F.R. § 1.313(c).

The Information Disclosure Statement is being filed with a Request for Continued Examination (RCE) Application to ensure that the Examiner considers the reference which was not previously of record.

4. Upon acceptance of the applicant's Petition, please enter the accompanying RCE Application.

PETITION FEES

5. The Petition fee (37 CFR 1.17(h)) is enclosed in the form of a check in the amount of \$130. However, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 03-3975.

Respectfully submitted,

Date: July 2, 2003

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